

**E-Rate Consultants, LLC**  
**Consultant Registration# 16060517**  
**Dexter Fredericks**  
**Consultant**

539 NW 208TH Way, Pembroke Pines, FL 33029  
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**Request for Waiver of FCC Form 471 certification window deadline  
Funding Year 2012**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street SW  
Washington, DC 20554

**CC Docket No. 96-45**  
**CC Docket No. 02-6**

October 28, 2012

This request for waiver of the FCC Form 471 filing window deadline for Funding Years 2012 under the Schools and Libraries universal service support mechanism. This letter is regarding the "Out of Window" notice received dated 10/2/2012 from USAC regarding the form 471 filing and associated certification for funding year 2012 - Application # 862694 with effected FRN's 2349149, 2349290, 2351838 and 2352289.

A 471 was filed on 3/16/2012. The electronic certification was immediately made on 3/16/2012 to complete the 471 application process. A few months later the school district received information that the 471 application process was in jeopardy due to an "out of window" certification situation. Upon further review I found that the issue was caused by an error in the USAC certification system which prevented the form from certifying in the system although it generated a certification page to print for my records. The error message (ERROR: Conversion from type 'XmlNode()' to type 'string' is not valid.:END) shows on line 38 in the enclosure below. The system normally will not generate the certification page to print unless successful certification is made which is why I did not notice this at the time.

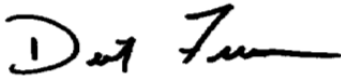
I contacted SLD on 8/13 case # 22-401667 and was advised that I will need to wait on the "out of window" notification. I was further advised on 10/25/2012 case # 22-428762 that the letter was issued on 10/2/2012. It is clear that this is a certification systems issue on USAC's part which may have occurred as the dataset was being sent back from the server to certify the form or could have been an issue with the server load. I have done a number of certifications on a form 471 so it was not an issue of my computer system or browser compatibility.

The school should not be penalized for this since every attempt was made to follow the process through completion of the 471 certification before the deadline. This was not a case of waste, fraud or abuse and the school would be negatively affected as they were seeking funding of \$62,833.71. Please review and allow the application to continue through the e-rate funding process as this has already caused delay in the application process. Thank you.

**On Behalf Of:**

1. Billed Entity Name: **KETCHIKAN GATEWAY BOR SCH DIST**  
Form 471 Application Number: 862694  
Billed Entity Number (BEN): 145685

Sincerely,

A handwritten signature in black ink, appearing to read "Dexter Fredericks".


Dexter Fredericks  
Consultant  
10/28/2012

**Enclosures:**

1. 2012 - 471 Certification with Error Message (full block 6 certification):
2. Out of Window Notification letter
3. 2012 Consultant Letter of Agency

**ENCLOSURES:**

**1. OUT OF WINDOW CORRESPONDENCE**

 **USAC**  
Universal Service Administrative Company

Schools and Libraries Division

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**FUNDING YEAR 2012 FORM 471  
POSTMARKED OUTSIDE OF WINDOW**

October 2, 2012

Dexter Fredericks  
KETCHIKAN GATEWAY BOR SCH DIST  
539 NW 208TH Way  
Pembroke Pines, FL 33029

Re: Applicant's Form Identifier: KTCJK2012  
Form 471 Application Number: 862694

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application and/or certification was submitted online or postmarked AFTER the deadline for an application to be considered as filed within the window.

Program rules require us to hold your application pending final review of those applications that were filed within the window. We will post an announcement on the USAC website at [www.usac.org/sl](http://www.usac.org/sl) once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future funding years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

**TO APPEAL THIS DECISION:**

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
  - Appellant name,
  - Applicant or service provider name,
  - BEN,
  - Application number 862694 as assigned by USAC,
  - "Funding Year 2012 Form 471 Postmarked Outside of Window Letter,"

AND

  - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

2. **2012 471 CERTIFICATION WITH ERROR MESSAGE (ERROR: CONVERSION FROM TYPE 'XMLNODE()' TO TYPE 'STRING' IS NOT VALID..END)**

Block 6 Print Mode

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such support more than twice every five funding years as required by the Commission's rules at 47 C.F.R. § 54.506(c).

37. ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38. Cert ID = ERROR: Conversion from type 'XmlNode()' to type 'String' is not valid. :END	39.Date
40. Printed name of authorized person Dexter Fredericks	
41. Title or position of authorized person Consultant	
<input checked="" type="checkbox"/> Check here if the consultant in Item 6g is the Authorized Person.	
42a. Street Address, P.O Box or Route Number 539 NW 208TH Way Pembroke Pines, FL 33029	
42b. Telephone number of authorized person: (800) 280-6573	
42c. Fax number of authorized person:	
42d. E-mail of authorized person: dfredericks@e-rateconsultants.com	
42e. Name of authorized person's employer E-Rate Consultants, LLC	
ATTENTION: If you are signing Form 471 using the PIN assigned to you by SLD, you are reminded that using the PIN is equivalent to your handwritten signature on the form. Your use of the PIN to affirm these certifications means that should they prove untrue, you will be held to the same enforcement standards as those who affirm the certifications on paper. Also, by using the PIN, you are affirming that you have the authority to make these certifications and represent the entity featured in Block One of this funding request.	
Please Check to affirm your compliance <input checked="" type="checkbox"/>	

471 Application Number:  
KETCHIKAN GATEWAY BOR SCH DIST  
333 SCHOENBAR RD  
KETCHIKAN, AK 99901

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504(c). The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC, or (b) any employee of the FCC, or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

[http://slforms.universalservice.org/ConnectPINApp/FY14\\_471certNET.aspx?benid=1456...](http://slforms.universalservice.org/ConnectPINApp/FY14_471certNET.aspx?benid=1456...) 3/16/2012

### 3. 2012 Consultant Letter of Agency

E-Rate Consultants, LLC - Letter of Agency

#### E-Rate Consultants, LLC Letter of Agency (LOA)

The Participant, (*Cooperative/District/School/Library Name*) **Ketchikan Gateway Borough School District** authorizes E-Rate Consultants, LLC to act as a consultant on its behalf in matters related specifically to any State and Federal discount programs for the purpose of securing E-rate discounts.

The Participant authorizes E-Rate Consultants, LLC to engage on its behalf in the procurement process, in the submission of FCC Form 470, FCC Form 471, and other E-rate forms, and in the overall administration of these programs solely for the purpose of facilitating application for those discounts on E-rate eligible services, which shall include, but not be limited to, Telecommunications Services, Internet Access, Internal Connections, and Internal Connections Basic Maintenance.

I, the authorized signer, understand that E-Rate Consultants, LLC will be making certifications on behalf of the Participant. By signing this letter of agency, I make the following certifications:

- (a) I certify that the schools or educational service cooperatives in the Participant's district are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the libraries or library consortia in the Participant's system are eligible for assistance from a State Library Administrative Agency under the Library Services and Technology Act of 1996, Pub. L. No. 104-208, § 211 et seq., 110 Stat. 3009 (1996), do not operate as for-profit businesses, and have budgets that are completely separate from any school (including, but not limited to, elementary schools, secondary schools, colleges, or universities).
- (c) I certify that the schools, educational service cooperatives, libraries, or library consortia in the Participant's district have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed in this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).
- (d) I certify that, if required by Commission rules, all of the individual schools and libraries receiving services in the Participant's district are covered by technology plans that do or will cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service.
  - ☐ an individual technology plan for using the services requested in this application; and/or
  - ☐ higher-level technology plan(s) for using the services requested in this application; or
  - ☒ I certify that no technology plan is required by Commission rules; applying for Internet, local, cellular, PCS, and/or long distance telephone service and/or voice mail, and other eligible priority one Telecommunication Services, Telecommunications, and Internet Access (IA) services only.
- (e) I certify that the schools, educational service cooperatives, libraries, or library consortia in the Participant's district are compliant, or will be compliant at the time funded services are provided, with the Children's Internet Protection Act, Pub. L. 106-554 (2000).
- (f) I certify that the services the school, educational service cooperative, library, library consortia or district purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. §§ 54.500, 54.513. Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under

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this form, from the service provider(s) or any representative or agent thereof or any consultant in connection with this request for services.

- (g) I certify that the entities eligible for support that I am representing will retain copies of all documents related to E-Rate applications and funding use for a period of five years from the last date of service covered by this letter of agency. Documents to be retained include, but are not limited to: E-rate forms, technology plans, discount rate support, competitive bids received, bid selection results, inventory records, invoices, and payments unless E-Rate consultants is contracted for document retention and archiving services.
- (h) I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurement of services for which support is being sought.
- (i) I certify that the Participant's district, educational service cooperative, library, or library consortia has complied with all E-rate program rules, and I acknowledge that failure to do so may result in denial of discount funding and cancellation of funding commitments.
- (j) I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of the benefits from those services.
- (k) I certify that no kickbacks were paid to anyone and understand that false statements on this form may be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), may subject me to a fine and imprisonment pursuant to 18 U.S.C. 1001, and may subject me to the civil remedies available under the False Claims Act, 31 U.S.C. §§ 3729 et seq.
- (l) I certify that I am authorized to sign this Letter of Agency on behalf of the Participant that I have examined this letter, and that, to the best of my knowledge, information, and belief, all information provided to E-Rate Consultants for E-rate submission or contained in this Letter is true and correct.

This certification for the E-Rate Program is effective for:

- ☐ Program Year 2011 (July 1, 2011 – June 30, 2012)  
☒ Program Year 2012 (July 1, 2012 – June 30, 2013)  
☐ Program Year 2013 (July 1, 2013 – June 30, 2014)

This certification in no way limits the abilities of entities of the Participant to file for a discount or refund pursuant to the E-rate program, or any other grants and programs on their own, nor does it abrogate any other rights and responsibilities of the Participant with the E-Rate Program.

Entity Name: **Ketchikan Gateway Borough School District**

\*Authorized Signature: 

Printed Name: Matthew Grano

Title: Business Manager

Date: 11/10/14

\*\*Entity Number: 145685, 16029285

\*Signature shall be that of Superintendent or designee; or Educational Service Cooperative Director or designee; or Librarian or designee. \*\*Entity number is the number assigned to each district by the Schools & Libraries Division. One may determine a district's entity number at: [www.elnibn.org/services.org/Utilities/BilledEntitySearch\\_Public.asp](http://www.elnibn.org/services.org/Utilities/BilledEntitySearch_Public.asp)